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## United States Senate

COMMITTEE ON APPROPRIATIONS

WASHINGTON, DC 20510-6025

<http://appropriations.senate.gov>

February 18, 2010

CHARLES J. HOUY, STAFF DIRECTOR  
BRUCE EVANS, MINORITY STAFF DIRECTOR

Mr. Christopher Bliley  
Associate Administrator for Congressional  
and Intergovernmental Relations  
Environmental Protection Agency  
1200 Pennsylvania Ave, NW, Room 3426 ARN  
Washington DC, 20460

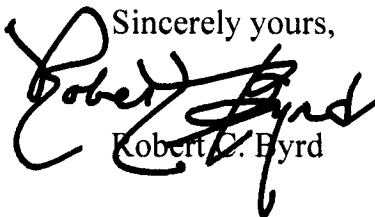
Dear Mr. Bliley:

Please see the enclosed correspondence from Mr. J. R. Polk, Executive Vice President and CFO, Worldwide Equipment Enterprises, Inc.

I would appreciate your looking into this matter, and providing me with comments that may serve as the basis for my reply to Mr. Polk.

With kind regards, I am

Sincerely yours,



Robert C. Byrd

RCB:rd  
Enclosure



**THE TRUCK PEOPLE**

**WORLDWIDE EQUIPMENT  
DIVISIONS  
AND SUBSIDIARIES**

**Kentucky**  
Lexington  
(859) 281-5152  
Middlesboro  
(606) 248-5100  
Prestonsburg  
(606) 874-2172  
Somerset  
(606) 679-4321

**West Virginia**  
Huntington  
(304) 736-3401  
Northern (Jane Lew)  
(304) 884-7815  
Princeton  
(304) 425-7511

**Virginia**  
Abingdon  
(276) 628-8103

**Volunteer Volvo & GMC, Inc.**  
Chattanooga  
(423) 892-8524  
Knoxville  
(865) 688-4300

**Worldwide Equipment Leasing, Inc.**  
(606) 233-3740

**Worldwide Equipment of Knoxville, Inc.**  
(865) 637-4333

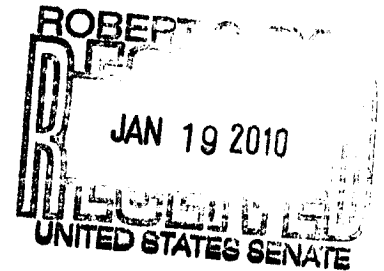
**Worldwide Equipment of Ohio, Inc.**  
Cincinnati  
(513) 563-6363  
Dayton  
(937) 278-5775

**Worldwide Fabricating  
and Manufacturing, Inc.**  
Lowmansville  
(606) 297-1200  
Middlesboro  
(606) 248-5100

# **WORLDWIDE EQUIPMENT ENTERPRISES, INC.**

## **CORPORATE HEADQUARTERS**

January 7, 2010



Senator Robert C. Byrd  
311 Hart Senate Office Building  
Washington DC 20510

Dear Senator Byrd:

Please find attached a copy of a letter recently sent to President Obama concerning the U. S. Environmental Protection Agency and their intention to list coal ash as a hazardous material. This issue has been thoroughly studied and proposed EPA Rules are more of a political agenda than a fix to a problem.

We urge you to join these Senators in opposing these rules. The EPA has already inflicted great damage to the coal industry causing the loss of many jobs and the inevitable loss of many more. It makes no sense to further damage an industry and way of life for so many people.

Our company employs approximately 640 employees, which is down from over 900 jobs at one time. We actively do business in seven states. We are faced with the loss of many more jobs due to the EPA holding up mining permits. Now, we face this rule making debacle which will further imperil the good jobs we provide. We have over 2000 employees and family members who depend on us for income, medical benefits, retirement benefits, life insurance, and other job related benefits.

We ask you to do everything you can to save our jobs, prevent skyrocketing utility bills, and prevent the destruction of our way of life.



It appears Washington is blind to the devastation to business and the lives of people in our part of the country. Our jobs and way of life are under attack mainly by people who have only a political agenda and have neither roots in our area nor an understanding of how much suffering they are causing. We do not need radicals solving problems which are not problems at all. Devastating political agendas that ignore the wants and needs of the people should be vigorously challenged by those elected to represent the people being harmed.

Again, we urge you to protect us from these unwarranted rules. We are not the enemy, just hard working people with a way of life handed down by our ancestors. We are not asking for a bailout, just common sense approach to the industry that allows us to take care of our families.

We are asking for your help now. It is simply the right thing to do. The people who elected you and trust you to speak for them now need your help in protecting them from further abuse and harm.

Sincerely,

**WORLDWIDE EQUIPMENT  
ENTERPRISES, INC.**

J. R. Polk

Executive Vice President & CFO

Enclosures

# United States Senate

WASHINGTON, DC 20510

December 23, 2009

President Barack Obama  
The White House  
1600 Pennsylvania Ave NW  
Washington, DC 20500

Dear Mr. President:

The U.S. Environmental Protection Agency (EPA) has indicated its intent to issue new rules in the near future that could have far-reaching impacts on U.S. jobs and the rates consumers pay for electricity. Sometime in the next few months, EPA is expected to recommend whether coal ash—a byproduct of using coal to generate electricity—should be regulated as “hazardous” or “non-hazardous” waste.

The agency appears to be leaning in the wrong direction—toward a recommendation that coal ash be handled as a hazardous material. This would pull the rug out from under the many U.S. businesses that rely on coal combustion material—about 45 percent of which is reused or recycled in a variety of everyday applications—and force unnecessarily high costs on utilities and their customers. This is the wrong way to go, particularly as the nation is just now beginning to pull itself out of an economic nose dive.

In 2000, after a thorough examination of the characteristics of coal combustion materials, the Clinton administration determined that coal ash should not be managed as a hazardous substance. Nearly a decade later, there is tremendous support for adhering to that determination. Dozens of state policymakers, including groups like the National Governors Association and the Environmental Council of the States, along with numerous state environmental protection agencies, also oppose hazardous waste regulation. More than three dozen industry groups and individual companies—those whose businesses rely on coal combustion products—have made it clear that hazardous waste regulation is unnecessary and would have a devastating impact on the many beneficial uses of coal ash.

But many of these organizations, along with the nation’s utilities, support federal regulation of coal ash as a non-hazardous waste. This approach would establish uniform management practices and protect public health and the environment, while maintaining the many beneficial uses of coal combustion products.

Last year, approximately 45 percent of the coal combustion products produced by utilities were recycled through a wide range of industrial, manufacturing and agricultural applications: to make concrete, to strengthen road beds, to use as roofing material, to stabilize waste, to manufacture wall board, and to add as a soil additive for agricultural purposes.

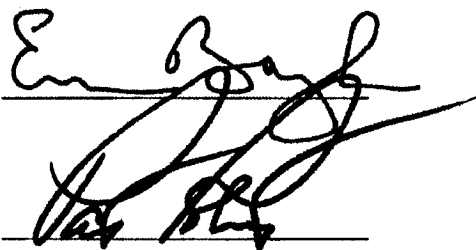
The annual value to the U.S. economy of coal ash recycling is estimated to be as high as \$8 billion. If coal ash is designated hazardous in any manner, businesses may be forced to end recycling options and may shut down operations.

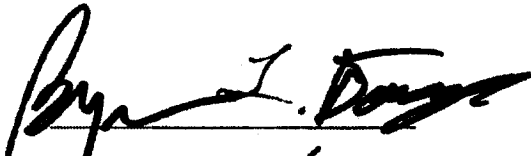
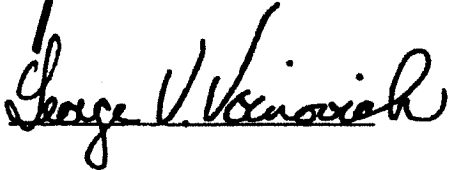
With a de facto moratorium on recycling, utilities would be required to alter and build additional facilities to manage the increased volume of ash. This would dramatically increase power plants' operating costs, which would be passed on to customers. Price increases likely would be most acute in the industrial heartland and other parts of the country where coal is the predominant source of electric generation. Many of these areas already are stressed from the recession and job losses.

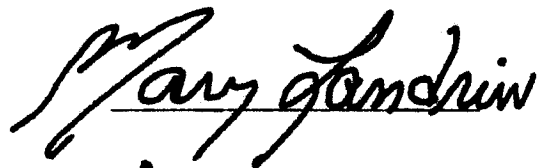
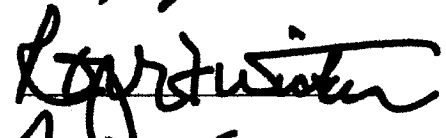
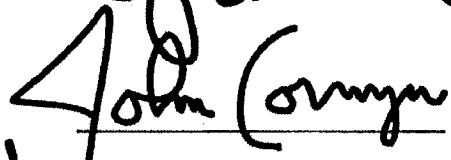
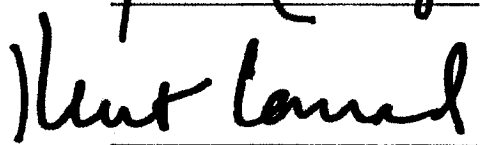
In light of the ash spill disaster at the Tennessee Valley Authority's Kingston facility, we certainly understand the EPA raising concerns about the handling and storage of coal combustion by-products. We believe that appropriate precautions should be taken by all responsible operators, that parties who have violated regulations should be held accountable, and that the public health and welfare should be protected.

However, the electric power sector is one of the most heavily regulated industries in the United States. Each regulation comes with a cost, and in most cases those costs are simply a necessary part of doing business. In this instance, however, the EPA needs to heed the recommendations of state policymakers and environmental officials, and the businesses that rely on coal ash and regulate coal ash as a non-hazardous material. Any change to this designation could prove hazardous to U.S. businesses and jobs, could result in sharply higher electricity prices for many consumers in these difficult economic times, and could result in fewer reductions of greenhouse gases through recycling outlets.

Sincerely,

  
Eric Lipton

  
Ryan L. Donaghy  
  
George V. Venios

  
Mary Gendrin  
  
Robert W. Smith  
  
John Cornyn  
  
Kent Conrad

AM F. Bush

Care McCasill

to Benjamin Zeman

Robert F. Kennedy

Paul Cahan

Sally Chaudhri

Jan E. Rind

John Thorne

Jim Webb

Robert F. Kennedy

Lamar Alexander

Blanche L. Lincoln

John Barrasso

Jo Test

Jim Bunning

Mark R. Warner

James M. Claxton

Art Bond

Frank J. Jones